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EXAMINER	
WEST, JEFFREY R	

ART UNIT	PAPER NUMBER
2857	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/708,146	TOBLER ET AL.	
	Examiner	Art Unit	
	JEFFREY R. WEST	2857	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 February 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33,35-43,46-53,55-58,60 and 61* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-33,35-43,46-53,55-58,60 and 61* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 January 2007* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 14, 2008, has been entered.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-33, 35-43, 46-53, 55-58, 60, and 61 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Independent claim 1 recites, "automatically inputting product quality control measurement data regarding a possible part defect from a plurality of measurement devices, and at least partially correlating the inputted product quality control measurement data regarding a possible product defect to the information relating to the at least one part and the information relating to the at least one field, where said at least partially correlating assists in locating a possible part defect." This limitation first requires "inputting product quality control measurement data regarding a possible part defect" (emphasis added). The limitation then refers to performing a partial correlation of "the inputted product quality control measurement data regarding a possible product defect" (emphasis added). As such, it is unclear to one having ordinary skill in the art as to whether the partial correlation is intended to be based on the previously presented "product quality control measurement data regarding a possible part defect" or some other different/second quality control measurement data regarding a possible product defect.

Independent claims 33, 48-53, 55-58, 60, and 61 are also rejected under 35 U.S.C. 112, second paragraph, as being vague and indefinite because they contain limitations similar to that of claim 1.

Claims 2-32, 35-43, 46, and 47 are rejected under 35 U.S.C. 112, second paragraph, because they incorporate the lack of clarity present in their respective parent claims.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 1-11, 13, 15-17, 19-24, 33, 35-43, 47-51, 53, 56, 57, 60, and 61, as may best be understood, are rejected under 35 U.S.C. 102(a) as being anticipated by U.S. Patent Application Publication No. 2003/0004656 to Bjornson.

With respect to claim 1, Bjornson discloses a method for monitoring facility data (abstract) utilizing a computer system (0054, lines 1-2) comprising inputting information relating to at least one part from at least one input device into the computer system (0095, lines 1-5 and Figure 11A-F), inputting information relating to at least one field from the at least one input device into the computer system (0070, lines 1-5 and Figure 4B), and automatically (0100, lines 16-18, 0101, lines 1-12 and 0116, lines 33-37) inputting product quality control measurement data regarding a possible part defect from a plurality of measurement devices (0100, lines 9-18 and 0116, lines 10-14), and at least partially correlating the inputted product quality control measurement data regarding a possible product defect to the information

relating to the at least one part and the information related to the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G) wherein said at least partially correlating assists in locating a possible (i.e. most likely) part defect (0077, lines 1-12, 0080, lines 1-17, and 0101, lines 1-12) and displaying the correlating data on a workstation communicable with the computer system (0100, lines 1-17, 0111, lines 1-16, and Figures 12A-J, 13C, and 13G).

With respect to claim 2, Bjornson discloses that the inputting information relating to the at least one part includes inputting least one part type and inputting at least one specific part and the inputting information relating to the at least one field includes inputting at least one field group and inputting at least one specific field (0095, lines 1-5 and Figure 11A-F).

With respect to claim 3, Bjornson discloses inputting information relating to at least one facility into the computer system (0068, lines 6-7 and Figure 4A)

With respect to claim 4, Bjornson discloses that the at least one part type is selected from the group consisting of types of components of products (i.e. types of components of products, “Type”) (0068, lines 7-11, 0095, lines 1-5, and Figure 11A).

With respect to claim 5, Bjornson discloses that the at least one specific part includes information that is selected from the group consisting of at least one product code, and at least one product characteristic information (i.e. product code- “MfgPArt#” / ”Serial Number”, product characteristic information- “Features”, “Size”, etc.) (0095, lines 1-5 and Figure 11A).

With respect to claim 6, Bjornson discloses that the at least one field group is selected from the group consisting of work-in-progress temperatures (i.e. work in progress operating condition temperatures) (0070, lines 1-5 and Figure 4B).

With respect to claim 7, Bjornson discloses that inputting the product quality control measurement data from a plurality of measurement devices includes inputting at least one type of unit of measurement (i.e. valve/seal temperatures, pressures, etc.) (0095, lines 1-5, Figures 11A-F, and 0100, lines 9-18 and 0116, lines 10-14)

With respect to claim 8, Bjornson discloses that the at least one type of unit of measurement is selected from the group consisting of temperature and pressure (i.e. valve/seal temperatures, pressures, etc.) (0095, lines 1-5, Figures 11A-F, and 0100, lines 9-18 and 0116, lines 10-14).

With respect to claim 9, Bjornson discloses that inputting the product quality control measurement data from a plurality of measurement devices includes inputting at least one specific unit of measurement (i.e. specific unit of valve measurement, seal temperature, seal pressure, etc.) (0095, lines 1-5, Figure 11A-F, and 0100, lines 9-18 and 0116, lines 10-14).

With respect to claim 10, Bjornson discloses that the inputting the product quality control measurement data from a plurality of measurement devices includes inputting at least one type of test (i.e. Seal Failure Testing) (Figure 11C)

With respect to claim 11, Bjornson discloses that the inputting the product quality control measurement data from a plurality of measurement devices includes at least one specific test. (Pressure Testing of Mechanical Seal) (Figure 11C)

With respect to claim 13, Bjornson discloses that inputting the product quality control measurement data from a plurality of measurement devices includes inputting information selected from the group consisting of at least one type of measurement device (i.e. temperature/pressure gauges) (Figure 11E).

With respect to claim 15, Bjornson discloses viewing the product quality control measurement data (0095, lines 1-8) utilizing at least one workstation (0116, lines 1-19).

With respect to claim 16, Bjornson discloses that the at least one workstation is selected from the group consisting of pocket processors, industrial computers, programmable logic controllers and personal computers (0105, lines 19-22 and 0119, line 1 to 0120, line 12).

With respect to claim 17, Bjornson discloses that the computer system includes at least one main server that is able to transmit data with the at least one workstation through a transmission medium selected from a group consisting of wireless communication, direct hardwired connection, local area networks, wireless communication, internet and wide area network (0111, lines 1-16).

With respect to claim 19, Bjornson discloses evaluating the inputted product quality control measurement data from a plurality of measurement devices with the computer system in accordance with at least one predetermined test and providing a

notification when the at least one predetermined test fails (0018, lines 1-19, 0118, lines 1-47, and Figure 11C).

With respect to claim 20, Bjornson discloses evaluating the inputted product quality control measurement data from a plurality of measurement devices with the computer system in accordance with at least one predetermined test and providing an assignable causes when the at least one predetermined test fails (0018, lines 1-19, 0118, lines 1-47, and Figure 11C).

With respect to claim 21, Bjornson discloses evaluating the inputted product quality control measurement data from a plurality of measurement devices with the computer system in accordance with at least one predetermined test and providing a recommended remedial action when the at least one predetermined test fails (0018, lines 1-19, 0019, lines 1-6, 0118, lines 1-47, and Figure 11C).

With respect to claim 22, Bjornson discloses that the at least one predetermined test includes aspects selected from the group consisting of at least one predetermined target and a corrective action procedure for the at least one predetermined test (i.e. target seal with corrective action) (0018, lines 1-19, 0019, lines 1-6, and Figure 11C)

With respect to claim 23, Bjornson discloses generating reports with the computer system (0092, lines 1-15).

With respect to claim 24, Bjornson discloses that generating reports with the computer system includes reports elected from the group consisting of at least one

corrective action report (i.e. quote report including corrective actions) (0092, lines 1-15).

With respect to claim 33, Bjornson discloses a method for monitoring facility data (abstract) utilizing a computer system (0054, lines 1-2) comprising inputting information relating to at least one part into the computer system (0095, lines 1-5 and Figure 11A-F), inputting information relating to at least one field into the computer system (0070, lines 1-5 and Figure 4B) automatically (0100, lines 16-18, 0101, lines 1-12 and 0116, lines 33-37) inputting product quality control measurement data regarding a possible part defect from a plurality of measurement devices (0100, lines 9-18 and 0116, lines 10-14) viewing the product quality control measurement data (0095, lines 1-8) utilizing at least one workstation (0116, lines 1-19); and evaluating the inputted product quality control measurement data regarding a possible product defect from a plurality of measurement devices with the computer system in accordance with at least one predetermined test and providing a notification when the at least one predetermined test fails (0018, lines 1-19, 0118, lines 1-47, and Figure 11C), at least one input device for receiving information relating to at least one part (0095, lines 10-5 and Figure 11A-F) and receiving information relating to at least one field (0070, lines 1-5 and Figure 4B) and at least partially correlating the inputted product quality control measurement data regarding said product defect to the information relating to the at least one part defect and the information relating to the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G), where said at least partially correlating

assists in locating a possible (i.e. most likely) part defect (0077, lines 1-12, 0080, lines 1-17, and 0101, lines 1-12) and a plurality of measurement devices for receiving the at least partially correlated product quality control measurement data regarding a possible product defect (0100, lines 9-18 and 0116, lines 10-14).

With respect to claim 35, Bjornson discloses that the information relating to the at least one part includes at least one part type and at least one specific part and the information relating to the at least one field includes at least one field type and at least one specific field (0095, lines 1-5 and Figure 11A-F).

With respect to claim 36, Bjornson discloses that the at least one part type is selected from the group consisting of types of components of products (i.e. Types of components of products, "Type") (0068, lines 7-11, 0095, lines 1-5, and Figure 11A), wherein the at least one specific part includes information that is selected from the group consisting at least one product code, and at least one product characteristic information (i.e. product code- "MfgPArt#" / "Serial Number", product characteristic information- "Features", "Size", etc.) (0095, lines 1-5 and Figure 11A) and wherein the at least one field type is selected from the group consisting of work-in-progress temperatures (i.e. work in progress operating condition temperatures) (0070, lines 1-5 and Figure 4B).

With respect to claim 37, Bjornson discloses that the inputted product quality control measurement data regarding a possible product defect that is at least partially correlated to the information related to the at least one part (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G) and the

information that is related to the at least one field includes information selected from the group consisting of at least one type of unit of measurement (i.e. temperature/pressure gauges) (0095, lines 1-5, Figure 11A-F, and 0100, lines 9-18 and 0116, lines 10-14).

With respect to claim 38, Bjornson discloses at least one workstation (0116, lines 1-19) for viewing the product quality control measurement data (0095, lines 1-8).

With respect to claim 39, Bjornson discloses that the at least one workstation is selected from the group consisting of pocket processors, industrial computers, programmable logic controllers and personal computers (0105, lines 19-22 and 0119, line 1 to 0120, line 12).

With respect to claim 40, Bjornson discloses at least one main server that is able to transmit data with the at least one workstation through a transmission medium selected from a group consisting of wireless communication, direct hardwired connection, local area networks, wireless communication, internet and wide area network (0111, lines 1-16).

With respect to claim 41, Bjornson discloses that the inputted product quality control measurement data regarding a possible product defect is evaluated with the computer system with at least one predetermined test and a notification is provided if the at least one predetermined test fails (0018, lines 1-19, 0118, lines 1-47, and Figure 11C).

With respect to claim 42, Bjornson discloses that the computer system generates at least one report (0092, lines 1-15).

With respect to claim 43, Bjornson discloses that the at least one report is selected from the group consisting of at least one corrective action report (i.e. quote report including corrective actions) (0092, lines 1-15).

With respect to claim 47, Bjornson discloses that the computer system generates a response from the group consisting of a recommended remedial action and an assignable cause (0018, lines 1-19 and 0019, lines 1-6).

With respect to claim 48, Bjornson discloses a method for monitoring facility data (abstract) utilizing a computer system (0054, lines 1-2) comprising inputting information relating to at least one part from at least one input device into the computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to at least one field from the at least one input device into the computer system (0070, lines 1-5 and Figure 4B); automatically (0100, lines 16-18, 0101, lines 1-12 and 0116, lines 33-37) inputting product quality control measurement data regarding a possible part defect from a plurality of measurement devices (0100, lines 9-18 and 0116, lines 10-14), and at least partially correlating the inputted product quality control measurement data regarding a possible product defect to the information related to the at least one part and the information related to the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G), wherein said at least partially correlating assists in locating a possible (i.e. most likely) part defect (0077, lines 1-12, 0080, lines 1-17, and 0101, lines 1-12); displaying the correlating data on a workstation communicable with the computer system (0100, lines 1-17, 0111, lines 1-16, and Figures 12A-J, 13C, and 13G);

wherein the inputting information relating to the at least one part includes inputting least one part type and inputting at least one specific part and the inputting information relating to the at least one field includes inputting at least one field group and inputting at least one specific field (0095, lines 1-5 and Figure 11A-F); and wherein the at least one part type is selected from the group consisting of types of components of products (i.e. types of components of products, "Type") (0068, lines 7-11, 0095, lines 1-5, and Figure 11A).

With respect to claim 49, Bjornson discloses a method for monitoring facility data (abstract) utilizing a computer system (0054, lines 1-2) comprising inputting information relating to at least one part from at least one input device into the computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to at least one field from the at least one input device into the computer system (0070, lines 1-5 and Figure 4B); automatically (0100, lines 16-18, 0101, lines 1-12 and 0116, lines 33-37) inputting product quality control measurement data regarding a possible part defect from a plurality of measurement devices (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted product quality control measurement data regarding a possible product defect is at least partially correlated to the information related to the at least one part and the information related to the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G), wherein said at least partially correlating assists in locating a possible (i.e. most likely) part defect (0077, lines 1-12, 0080, lines 1-17, and 0101, lines 1-12); displaying the correlating data on a workstation communicable with the computer

system (0100, lines 1-17, 0111, lines 1-16, and Figures 12A-J, 13C, and 13G); wherein the inputting information relating to the at least one part includes inputting least one part type and inputting at least one specific part and the inputting information relating to the at least one field includes inputting at least one field group and inputting at least one specific field (0095, lines 1-5 and Figure 11A-F); and wherein the at least one specific part includes information that is selected from the group consisting of at least one part type, at least one product code, and at least one product characteristic information (i.e. types of components of products- "Type", product code- "MfgPArt#" / "Serial Number", product characteristic information- "Features", "Size", etc.) (0095, lines 1-5 and Figure 11A).

With respect to claim 50, Bjornson discloses a method for monitoring facility data (abstract) utilizing a computer system (0054, lines 1-2) comprising inputting information relating to at least one part from at least one input device into the computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to at least one field from the at least one input device into the computer system (0070, lines 1-5 and Figure 4B); automatically (0100, lines 16-18, 0101, lines 1-12 and 0116, lines 33-37) inputting product quality control measurement data regarding a possible part defect from a plurality of measurement devices (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted product quality control measurement data regarding a possible product defect is at least partially correlated to the information related to the at least one part and the information related to the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and

13G), wherein said at least partially correlating assists in locating a possible (i.e. most likely) part defect (0077, lines 1-12, 0080, lines 1-17, and 0101, lines 1-12); displaying the correlating data on a workstation communicable with the computer system (0100, lines 1-17, 0111, lines 1-16, and Figures 12A-J, 13C, and 13G); wherein the inputting information relating to the at least one part includes inputting least one part type and inputting at least one specific part and the inputting information relating to the at least one field includes inputting at least one field group and inputting at least one specific field (0095, lines 1-5 and Figure 11A-F); and wherein the at least one field group is selected from the group consisting of work-in-progress temperatures (i.e. work in process operating condition temperatures) (0070, lines 1-5 and Figure 4B).

With respect to claim 51, Bjornson discloses a method for monitoring facility data (abstract) utilizing a computer system (0054, lines 1-2) comprising: inputting information relating to at least one part from at least one input device into the computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to at least one field from the at least one input device into the computer system (0070, lines 1-5 and Figure 4B); automatically (0100, lines 16-18, 0101, lines 1-12 and 0116, lines 33-37) inputting product quality control measurement data regarding a possible part defect from a plurality of measurement devices (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted product quality control measurement data regarding a possible product defect is at least partially correlated to the information related to the at least one part and the information related to the at least one field

(0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G), where said at least partially correlating assists in locating a possible (i.e. most likely) part defect (0077, lines 1-12, 0080, lines 1-17, and 0101, lines 1-12); displaying the correlating data on a workstation communicable with the computer system (0100, lines 1-17, 0111, lines 1-16, and Figures 12A-J, 13C, and 13G); wherein the inputting measurement data from a plurality of measurement devices includes inputting at least one type of unit of measurement (i.e. valve/seal temperatures, pressures, etc.) (0095, lines 1-5 Figure 11A-F, and 0100, lines 9-18 and 0116, lines 10-14); and wherein the at least one type of unit of measurement is selected from the group consisting of temperature and pressure (i.e. valve/seal temperatures, pressures, etc.) (0095, lines 1-5, Figures 11A-F, and 0100, lines 9-18 and 0116, lines 10-14).

With respect to claim 53, Bjornson discloses a method for monitoring facility data (abstract) utilizing a computer system (0054, lines 1-2) comprising: inputting information relating to at least one part from at least one input device into the computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to at least one field from the at least one input device into the computer system (0070, lines 1-5 and Figure 4B); automatically (0100, lines 16-18, 0101, lines 1-12 and 0116, lines 33-37) inputting product quality control measurement data regarding a possible part defect from a plurality of measurement devices (0100, lines 9-18 and 0116, lines 10-14), and at least partially correlating inputted product quality control measurement data regarding a possible product defect to the information relating to

the at least one part and the information relating to the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G), wherein said at least partially correlating assists in locating a possible (i.e. most likely) part defect (0077, lines 1-12, 0080, lines 1-17, and 0101, lines 1-12); and wherein the inputting product quality control measurement data from a plurality of measurement devices regarding a possible part defect includes inputting information selected from the group consisting of at least one type of measurement device (i.e. temperature/pressure gauges) (Figure 11E).

With respect to claim 56, Bjornson discloses a method for monitoring facility data (abstract) utilizing a computer system (0054, lines 1-2) comprising: inputting information relating to at least one part from at least one input device into the computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to at least one field from the at least one input device into the computer system (0070, lines 1-5 and Figure 4B); automatically (0100, lines 16-18, 0101, lines 1-12 and 0116, lines 33-37) inputting product quality control measurement data regarding a possible part defect from a plurality of measurement devices (0100, lines 9-18 and 0116, lines 10-14), and at least partially correlating inputted product quality control measurement data regarding a possible product defect to the information related to the at least one part and the information related to the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G), wherein said at least partially correlating assists in locating a possible (i.e. most likely) part defect (0077, lines 1-12, 0080, lines 1-17, and 0101, lines 1-12); and evaluating the

inputted product quality control measurement data regarding a possible part defect from a plurality of measurement devices with the computer system in accordance with at least one predetermined test and providing a notification when the at least one predetermined test fails (0018, lines 1-19, 0118, lines 1-47, and Figure 11C), wherein the at least one predetermined test includes aspects selected from the group consisting of at least one predetermined target and a corrective action procedure for the at least one predetermined test (i.e. target seal with corrective action) (0018, lines 1-19, 0019, lines 1-6, and Figure 11C).

With respect to claim 57, Bjornson discloses a method for monitoring facility data (abstract) utilizing a computer system (0054, lines 1-2) comprising: inputting information relating to at least one part from at least one input device into the computer system (0095, lines 1-5 and Figure 11A-F); inputting information relating to at least one field from the at least one input device into the computer system (0070, lines 1-5 and Figure 4B); automatically (0100, lines 16-18, 0101, lines 1-12 and 0116, lines 33-37) inputting product quality control measurement data regarding a possible part defect from a plurality of measurement devices (0100, lines 9-18 and 0116, lines 10-14), and at least partially correlating inputted product quality control measurement data regarding a possible product defect to the information related to the at least one part and the information related to the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G), wherein said at least partially correlating assists in locating a possible (i.e. most likely) part defect (0077, lines 1-12, 0080, lines 1-17, and 0101, lines 1-12); and generating

reports with the computer system (0092, lines 1-15), wherein the generating reports with the computer system includes reports selected from the group consisting of at least one corrective action report (i.e. quote report including corrective actions) (0092, lines 1-15).

With respect to claim 60, Bjornson discloses a computer system (0054, lines 1-2) for monitoring facility data (abstract) comprising: at least one input device for receiving information relating to at least one part (0095, lines 1-5 and Figure 11A-F) and receiving information relating to at least one field (0070, lines 1-5 and Figure 4B); a plurality of measurement devices for receiving product quality control measurement data regarding a possible part defect (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted product quality control measurement data is automatically (0100, lines 16-18, 0101, lines 1-12 and 0116, lines 33-37) inputted and is at least partially correlated to the information related to the at least one part and the information related to the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G), wherein said at least partially correlating assists in locating a possible (i.e. most likely) part defect (0077, lines 1-12, 0080, lines 1-17, and 0101, lines 1-12) and wherein the inputted product quality control measurement data regarding a possible part defect that is at least partially correlated to the information related to the at least one part and the information that is related to the at least one field includes information selected from the group consisting of at least one type of unit of measurement (i.e.

temperature/pressure gauges) (0095, lines 1-5, Figure 11A-F, and 0100, lines 9-18 and 0116, lines 10-14).

With respect to claim 61, Bjornson discloses a computer system (0054, lines 1-2) for monitoring facility data (abstract) comprising: at least one input device for receiving information relating to at least one part (0095, lines 1-5 and Figure 11A-F) and receiving information relating to at least one field (0070, lines 1-5 and Figure 4B); a plurality of measurement devices for receiving product quality control measurement data regarding a possible part defect (0100, lines 9-18 and 0116, lines 10-14), wherein the inputted product quality control measurement data is automatically (0100, lines 16-18, 0101, lines 1-12 and 0116, lines 33-37) inputted and is at least partially correlated to the information related to the at least one part and the information related to the at least one field (0095, lines 1-5, 0100, line 1 to 0101, line 8, and Figures 11A-F, 12A-J, 13C, and 13G), wherein said at least partially correlating assists in locating a possible (i.e. most likely) part defect (0077, lines 1-12, 0080, lines 1-17, and 0101, lines 1-12); wherein the computer system generates at least one report (0092, lines 1-15); and wherein the at least one report is selected from the group consisting of at least one corrective action report (i.e. quote report including corrective actions) (0092, lines 1-15).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 12 and 52, as may best be understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Bjornson in view of U.S. Patent No. 5,473,950 to Peterson.

As noted above, the invention of Bjornson teaches many of the features of the claimed invention, and while the invention of Bjornson does teach selecting at least one test to be performed, Bjornson does not specifically indicate that the at least one test is selected from the group consisting of a temperature of a product at a particular point in processing, inspection for fecal contamination, weight of the product, percentage of trisodium phosphate solution, verification of critical limits, pre-shipment verification of product quality, thermometer calibration with comparison against NST certified standard weight and visual inspections regarding sanitation.

Peterson teaches a process plant sample collection method including a means for sampling a product being processed to enable testing for pre-shipment verification of product quality (column 1, lines 39-54).

It would have been obvious to one having ordinary skill in the art to modify the invention of Bjornson to specifically indicate that the at least one test is pre-shipment verification of product quality, as taught by Peterson, because Peterson suggests that it is common to verify the product quality before it is ready for shipment and one having ordinary skill in the art would recognize that such pre-shipment testing would improve the overall system of Bjornson by insuring that a high quality product is

provided to consumers by verifying that the product processing is operating correctly (column 1, lines 39-54).

9. Claim 14, as may best be understood, is rejected under 35 U.S.C. 103(a) as being unpatentable over Bjornson in view of U.S. Patent No. 5,012,667 to Kruse.

As noted above, the invention of Bjornson teaches many of the features of the claimed invention and while the invention of Bjornson does teach inputting information relating to at least one type of measurement device comprising at least one type for a specific measurement device, at least one serial number for a specific manufacturing device, and at least one indication as to whether or not a specific measurement device is active (i.e. temperature/pressure gauge types, serial numbers, active settings and readings) (Figure 11E), Bjornson does not specify inputting an indication as to whether or not a model of measurement device model requires two-point calibration.

Kruse teaches an apparatus and method for calibrating a measuring device comprising means for inputting an indication as to whether or not a model of measurement device model requires one-point or two-point calibration (column 11, lines 1-13).

It would have been obvious to one having ordinary skill in the art to modify the invention of Bjornson to specify inputting an indication as to whether or not a model of measurement device model requires two-point calibration, as taught by Kruse, because, as suggested by Kruse, the combination would have improved the system

of Bjornson by providing the system with in indication of the type of calibration required for a particular measurement device thereby insuring that the measurement device is properly calibrated by recalling such an indication when the device is being calibrated, thereby insuring the accuracy of any resulting measurements (column 11, lines 1-13)

10. Claims 18, 26, 27, 32, and 55, as may best be understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Bjornson in view of U.S. Patent No. 6,044,154 to Kelly.

As noted above, the invention of Bjornson teaches many of the features of the claimed invention and while the invention of Bjornson does teach a user at a workstation for entering facility data, Bjornson does not specifically indicate that the at least one workstation includes associated information from the group consisting of at least one name of a workstation type, at least one indication as to whether a workstation type is portable, at least one name of a workstation manufacturer, contact information for a workstation manufacturer, at least one indication as to whether a workstation manufacturer is active, at least one name of a workstation model, at least one name of a workstation model manufacturer, at least one type of workstation and at least one indication as to whether a workstation model is active, at least one name of a specific workstation, at least one type of a specific workstation, at least one serial number for a specific workstation, and at least one indication as to whether a specific workstation is active or that the user is identified

by inputting a user id and personal identification number to create an electronic signature.

Kelly teaches a remote generated device identifier key for use with a duel-key reflexive encryption security system comprising a security system for generating access to a host computer in response to a demand from a remote workstation (column 3, lines 45-47) wherein the remote workstation includes at least one serial number for a specific workstation (column 6, lines 35-38) and the user is identified by inputting a user id and personal identification number to create an electronic signature (column 6, lines 56-67) wherein selective aspects of the computer system can be selectively blocked from view for a user depending on a predetermined security role determined for that user (column 8, lines 26-46)

It would have been obvious to one having ordinary skill in the art to modify the invention of Bjornson to specifically indicate that the at least one workstation includes associated information from the group consisting of at least one serial number for a specific workstation and that the user is identified by inputting a user id and personal identification number to create an electronic signature, as taught by Kelly, because the invention of Bjornson does teach a user at a workstation for entering facility data and, as suggested by Kelly, the combination would have improved the system of Bjornson by increasing the security of the system to ensure that the user has proper clearance for entering the data and thereby reduce the likelihood of unauthorized users from obtaining/editing the facility data by blocking

access to the system from such unauthorized users (column 1, lines 18-26 and column 3, lines 27-35).

11. Claims 28 and 29, as may best be understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Bjornson in view of Kelly and further in view of U.S. Patent Application Publication No. 2003/0236979 to Himmel et al.

As noted above, the invention of Bjornson and Kelly teaches many of the features of the claimed invention and while the invention of Bjornson and Kelly does teach inputting product quality control measurement data by a first user that inputs an associated electronic signature, the combination does not specify that such entering of product quality control measurement data is verified by a second user.

Himmel teaches group security objects and concurrent multi-user security objection comprising a client remotely connected over a network (0046, lines 1-7) for receiving a first user id and password (0049, lines 1-12 and 0053) and further identifying the identity of the at least one second user by inputting a user id and password (0108, lines 1-19) to verify that the first user has proper authorization for access to the protected data (0009, lines 1-15 and 0109, lines 1-11).

It would have been obvious to one having ordinary skill in the art to modify the invention of Bjornson and Kelly to specify that the entering of product quality control measurement data is verified by a second user, as taught by Himmel, because, as suggested by Himmel, the combination would have provided increased security to the system of Bjornson and Kelly thereby insuring the accuracy of the data entered

in such a system by employing dual user security controls as part of a system that does not require extensive recoding (0006, lines 1-14 and 0009, lines 1-15).

12. Claims 25 and 58, as may best be understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Bjornson in view Kelly and further in view of U.S. Patent No. 6,115,713 to Pascucci et al.

As noted above, the invention of Bjornson and Kelly teaches many of the features of the claimed invention and while the invention of Bjornson and Kelly does teach performing at least one test as well as generating a result of such a test and further generating reports with access to the system data controlled by a user's electronic signature, Bjornson does not explicitly indicate that failure of such a test generates an alarm and a corresponding alarm report.

Pascucci teaches a networked facilities management system comprising means for sensing a plurality of conditions at a facility (column 27, lines 58-67) and means for providing alarm detection and generation when an input value produced by hardware varies from a user specified normal condition (column 14, lines 18-20, column 62, lines 42-55, and column 63, lines 49-67) and means for providing alarm reports to a user (column 14, lines 21-23).

It would have been obvious to one having ordinary skill in the art to modify the invention of Bjornson and Kelly to explicitly indicate that failure of such a test generates an alarm and a corresponding alarm report, as taught by Pascucci, because, as suggested by Pascucci, the combination would have improved the

system of Bjornson and Kelly by generating alarms to indicate to a user that one of the tests of Bjornson and Kelly has failed to allow the user to take corrective action as well as provided the user with detailed alarm information for further analysis to determine system errors with greater efficiency as part of an organized report (column 63, lines 15-19 and 25-42 and column 65 line 61 to column 66, line 8).

13. Claims 30 and 46, as may best be understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Bjornson in view of U.S. Patent No. 6,115,713 to Pascucci et al.

As noted above, the invention of Bjornson teaches many of the features of the claimed invention and while the invention of Bjornson does teach performing at least one test as well as generating a result of such a test and further generating reports, Bjornson does not explicitly indicate that failure of such a test generates an alarm and a corresponding alarm report.

Pascucci teaches a networked facilities management system comprising means for sensing a plurality of conditions at a facility (column 27, lines 58-67) and means for providing alarm detection and generation when an input value produced by hardware varies from a user specified normal condition (column 14, lines 18-20, column 62, lines 42-55, and column 63, lines 49-67) and means for providing alarm reports to a user (column 14, lines 21-23).

It would have been obvious to one having ordinary skill in the art to modify the invention of Bjornson to explicitly indicate that failure of such a test generates an

alarm and a corresponding alarm report, as taught by Pascucci, because, as suggested by Pascucci, the combination would have improved the system of Bjornson by generating alarms to indicate to a user that one of the tests of Bjornson has failed to allow the user to take corrective action as well as provided the user with detailed alarm information for further analysis to determine system errors with greater efficiency as part of an organized report (column 63, lines 15-19 and 25-42 and column 65 line 61 to column 66, line 8).

14. Claim 31, as may best be understood, is rejected under 35 U.S.C. 103(a) as being unpatentable over Bjornson in view of U.S. Patent Application Publication No. 2003/0120446 to Xie et al.

As noted above, the invention of Bjornson teaches many of the features of the claimed invention and while the invention of Bjornson does teach monitoring the operations of a facility utilizing inputted product quality control measurement data, the combination does not specify generating a statistical process control chart.

Xie teaches a net system and method for quality control comprising means for measuring data and generating measurement information and a management module for performing statistical chart analysis to generate a plurality of reports (0007, lines 1-25), wherein the statistic charts include a statistical process control chart (0028, lines 1-5).

It would have been obvious to one having ordinary skill in the art to modify the invention of Bjornson to specify generating a statistical process control chart, as

taught by Xie, because, as suggested by Xie, the combination would have reduced the possibility of human error and improved the efficiency of quality control by providing automatic and detailed quality information in the common form of statistical process control analysis charts (0002, lines 3-7, 0005, lines 1-6 and 0007, lines 22-25).

Response to Arguments

15. Applicant's arguments filed February 14, 2008, have been fully considered but they are not persuasive.

Applicant argues:

> Bjornson does not teach correlating a product defect with automatically taken quality control measurement data relating to the operation of the machines that were in use when that product was manufactured, in order to locate an unknown device defect. As mentioned above, the method in Bjomson is entirely focused on determining the root cause of an already known malfunction - a seal failure (0018, Lines 1-19) - using observations taken by a human (0095, Lines 5-9). Consequently, Bjornson does not teach correlating a product defect with automatically taken quality control measurement data relating to the operation of the machines that were in use when that product was manufactured - i.e. correlating data to locate the malfunction itself.
>
> Independent claims 1, 33, 48-53, 54-58, and 60-61, as amended, each contain limitations involving the automatic inputting of product quality control measurement data. As mentioned above, Bjomson uses humans to visually inspect the machines. Further, independent claims 1, 33, 48-53, 54-58, and 60-61 each contain a limitation involving the correlation of the quality control measurement data relating to the operation of the machines and devices with other information to locate a device defect. As mentioned above, Bjomson is focused on determining the root cause of an already known seal defect.

The Examiner first asserts that the claims, and any rejections of the claims, are being interpreted as may best be understood due to the lack of clarity present in each of the independent claims as to whether the partial correlation is intended to be

based on the previously presented “product quality control measurement data regarding a possible part defect” or some other different/second quality control measurement data regarding a possible product defect.

The Examiner also notes that in the instant response Applicant asserts:

> Regarding the amendments to the claims, the addition of the word "automatically" is supported in the specification at paragraph [0005] by the reference to "scheduled activity." The computer system can be scheduled to perform certain tasks automatically. The term "regarding a possible part defect" is supported in the specification at paragraph [0005] by the phrase, "monitoring whether devices used in the facility are calibrated, and determining what corrective actions are appropriate if defects occur." An improper calibration is an example of a device defect. The term "where said at least partially correlating assists in locating a possible part defect" is supported in the specification at paragraph [0005] by the phrase, "develops root causes for defects." Here, the term "defect" refers to a defect in an end product, and the term "root cause" refers to the machine or part or device whose defect caused the defective product.

As can be seen by the foregoing, Applicant explicitly indicates that the limitation in question “where said at least partially correlating assists in locating a possible part defect" corresponds to "develops root causes for defects" with the term "defect" referring “to a defect in an end product”. In the arguments presented above, Applicant argues “the method in Bjornson is entirely focused on determining the root cause of an already known malfunction”. The Examiner, therefore, asserts that if Applicant admits that Bjornson determines a root cause of a known malfunction, and Applicant indicates that the newly added limitation is for developing root causes for defects in an end product, the only apparent difference between what Bjornson discloses and what Applicant asserts is required in the new limitation, is that the new limitation is for developing root causes of an end product rather than for developing

root causes of a known malfunction. The Examiner asserts, however, that it unclear how Applicant can interpret the limitation of "wherein said at least partially correlating assists in locating a possible part defect" can correspond to developing root causes for defects in an end product when the limitation explicitly requires "locating a possible part defect" (emphasis added).

Regardless, the Examiner asserts that Bjornson does disclose that said at least partially correlating assists in locating a possible part defect by determining root causes of failure which correspond to possible (i.e. most likely) part defect causing the failure, specifically:

> System design deficiency module 504 is coupled to the problem/failure database 106 and performs a system level analysis of any deficiencies or problems that may exist or be caused by the new or changed equipment that is being added to the system. For example, problems with the interactions between pump systems, the auxiliary equipment, the piping systems, or other higher level problems may be identified by this module. Module 504 uses the input equipment data in conjunction with the equipment data stored in the equipment database 224 and compares the equipment data to problem/failure data stored in the problem/failure database 106. (0077, lines 1-12)

> In one embodiment, the process fluid analyzer module 512 is coupled to a process fluid database 510 and determines whether any deficiencies exist, or problems likely will occur with any new or changed equipment data and the process fluids used within the pump or system. The process fluid analyzer 512 is coupled to the process fluid database 510 via query input 542 and receives data indicative of characteristics of the process fluid from the process fluid database 510 via output 540. In addition, the process fluid analyzer module 512 receives a new/changed equipment data via input 552. The process fluid analyzer module compares the data indicative of the characteristics of the process fluid with the equipment data stored in the equipment database 224 to determine if any incompatibilities exist. The process fluid analyzer module 512 provides process fluid problem data to the equipment database 224 for storage with the associated equipment via output 544. (0080, lines 1-17)

> The form shown in FIGS. 12a-12i is arranged so that each intersection between the failure mode data and the user data gathered, located along the left

side of the sheet, is associated with data indicative of a possible root cause of a failure. As the data is automatically entered into the form the matches between the failure mode data and the data gathered by the user or derived from other analysis modules are noted. These matches represent candidate root causes of the equipment failure. The candidate root causes of the failure, in one embodiment, as described above can be provided with a probability weighting factor so that a user will be able to judge the most likely cause based on the data. (0101, lines 1-12)

The Examiner also asserts that while Applicant is correct that Bjornson does disclose manual inputting of product quality control measurement data, the Examiner also notes that Bjornson further discloses automatic inputting, specifically:

In addition, any data from the design deficiency modules 503 also are provided and automatically entered into this form. (0100, lines 16-18)

The form shown in FIGS. 12a-12i is arranged so that each intersection between the failure mode data and the user data gathered, located along the left side of the sheet, is associated with data indicative of a possible root cause of a failure. As the data is automatically entered into the form the matches between the failure mode data and the data gathered by the user or derived from other analysis modules are noted. These matches represent candidate root causes of the equipment failure. The candidate root causes of the failure, in one embodiment, as described above can be provided with a probability weighting factor so that a user will be able to judge the most likely cause based on the data. (0101, lines 1-12)

The selection process may involve the user evaluating the data and probabilistic weight attached to each of the candidate root causes and manually selecting a root cause. In another embodiment, the system itself may select the root cause based upon the analysis of the data. (0116, lines 33-37)

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure:

U.S. Patent Application Publication No. 2003/0028268 to Eryurek et al. teaches data sharing in a process plant.

U.S. Patent No. 7,026,929 to Wallace teaches a food information monitoring system.

U.S. Patent Application Publication No. 2002/0116083 to Schulze teaches a system and method for automated monitoring and assessment of fabrication facility.

U.S. Patent Application Publication No. 2002/0029222 to Key teaches a system and method for an online jurisdiction manager.

U.S. Patent No. 5,473,950 to Peterson teaches a process plant sample collection method.

U.S. Patent No. 6,421,571 to Spriggs et al. teaches an industrial plant asset management system apparatus and method.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEFFREY R. WEST whose telephone number is (571)272-2226. The examiner can normally be reached on Monday through Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eliseo Ramos-Feliciano can be reached on (571)272-7925. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jeffrey R. West/
Primary Examiner, Art Unit 2857

May 28, 2008